

1 Honorable John C. Coughenour
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 SOUTH FERRY LP#2, et. al, individually and
11 on behalf of all others similarly situated,

12 Plaintiffs,

13 v.

14 KERRY K. KILLINGER, THOMAS W.
15 CASEY, DEANNA W. OPPENHEIMER,
and WASHINGTON MUTUAL, INC.,

16 Defendants.

17 No. C04-1599-JCC
MINUTE ORDER

18 The following Minute Order is made by direction of the Court, the Honorable John C.
19 Coughenour, United States District Judge:

20 On September 9, 2008, the Ninth Circuit vacated this Court's prior order denying
21 Defendants' motion to dismiss the consolidated amended complaint with regard to the PSLRA
22 scienter requirement, and it remanded for this Court to reconsider the motion in light of *Tellabs,*
23 *Inc. v. Makor Issues & Rights, Ltd.*, 127 S. Ct. 2499 (2007). See *South Ferry LP #2 v. Killinger*,
24 542 F.3d 776, 786 (9th Cir. 2008). At the Court's request, the parties filed a Joint Status Report
25 recommending a briefing schedule whereby Plaintiffs and Individual Defendants would each file
26 opening briefs and then would each file responsive briefs in parallel. (Dkt. No. 154.)

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Based on the parties' proposed briefing strategy, the Court ORDERS that Plaintiffs and the Individual Defendants each submit an opening brief, not to exceed **twenty-four (24) pages**, by **Friday, April 17, 2009**, and then each submit a responsive brief, not to exceed **twenty-four (24) pages**, by **Friday, May 29, 2009**. The Individual Defendants should file their opening and responsive briefs each as a single, joint submission.

DATED this 5th day of March, 2009.

BRUCE RIFKIN, Clerk of Court

By /s/ V. Perez
Deputy Clerk